

Message Text

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PAGE 01 MEXICO 12326 282239Z

ACTION SCS-06

INFO OCT-01 ARA-14 ISO-00 CA-01 L-03 EB-08 DOTE-00

FAA-00 H-02 /035 W

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 1673

INFO AMCONSUL GUADALAJARA

UNCLAS MEXICO 12326

E. O. 11652: N/A

TAGS: CPRS, MX (1961 CESSNA 206, N-9441-X)

SUBJECT: MEXICAN ATTORNEY GENERAL'S ROLE IN THE RECOVERY
OF CONFISCATED US AIRCRAFT, N-9441-X.

REF: GUADALAJARA 2029

1. EMBASSY WOULD LIKE DEPARTMENT TO BE AWARE OF THE ASSISTANCE RENDERED BY THE MEXICAN ATTORNEY GENERAL'S (MAG) OFFICE IN OBTAINING THE RELEASE OF SUBJECT AIRCRAFT FROM THE MEXICAN MILITARY AUTHORITIES. THIS CASE IS JUST ONE OF MANY INSTANCES IN WHICH THE MAG'S OFFICE HAS LOOKED INTO A SITUATION AT THE REQUEST OF THE CONSUL GENERAL, AND RESOLVED IT IN A MANNER FAVORABLE TO US CITIZENS AND/OR FIRMS. IN ADDITION, THE SUCCESSFUL CONCLUSION OF THIS AND OTHER CASES, FURTHER DEMONSTRATES THE EXCELLENT RAPPORT THAT HAS BEEN DEVELOPED AND MAINTAINED WITH THE MAG OVER THE PAST TWO YEARS.

2. SUBJECT AIRCRAFT ENTERED MEXICO LEGALLY IN 1970, WAS SLIGHTLY DAMAGED DURING A LANDING AT A PRIVATE AIRSTRIP, AND SEIZED BY MEXICAN MILITARY AFTER PILOT AND PASSENGER WENT TO A NEARBY TOWN TO SEEK ASSISTANCE. MILITARY AUTHORITIES BELIEVED THE PLANE HAD BEEN ABANDONED BY NARCOTICS SMUGGLERS.

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3. NO FORMAL CHARGES WERE EVER LODGED AGAINST THE PILOT OR PASSENGER FOR DRUG TRAFFICKING, AND NO EVIDENCE WAS EVER PRODUCED THAT AIRCRAFT WAS INVOLVED IN ANY ILLEGAL ACTIVITY. IN FACT, THE MAG SENT A LETTER TO THE MEXICAN DOD SPECIFICALLY STATING THERE WERE NO LEGAL GROUNDS FOR HOLDING THE PLANE IN CUSTODY. THIS LETTER WAS SENT IN

RESPONSE TO THE EMBASSY'S REQUEST FOR HELP IN THE MATTER.

4. MEXICAN MILITARY THEN AGREED TO RELEASE THE AIRCRAFT, BUT UPON THE CONDITION THE OWNER WOULD PAY APPROXIMATELY ONE MILLION PESOS FOR TRANSPORTATION AND CUSTODIAL SERVICES THE MILITARY HAD RENDERED. WHEN THE OWNER BALKED AT THIS AMOUNT, THE MEXICAN DOD SUBSEQUENTLY CITED FIGURES OF 500,000, 400,000, AND 542,000 PESOS TO BE PAID FOR THE RETURN OF THE AIRCRAFT. THE CONSUL GENERAL BROUGHT THESE DEVELOPMENTS TO THE ATTENTION OF LIC. FERNANDO BAEZA MELENDEZ, OFICIAL MAYOR, (EXECUTIVE OFFICER) OF THE MAG'S OFFICE, AND THROUGH THE DETERMINED EFFORTS OF THE LATTER, AICRAFT WAS FINALLY RELEASED BY MEXICAN MILITARY WITHOUT THE PAYMENT OF ANY FEES WHATSOEVER ON JULY 17, 1978, AS DESCRIBED IN REFTTEL. LUCEY

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Message Attributes

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